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Counsel for Defendant  
Yvonne Chavez

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	Case No. CR 11-00549 EJD
	)	No. CR 11-00561 EJD
Plaintiff,	)	
	)	<b>STIPULATION AND <del>PROPOSED</del></b>
vs.	)	<b>ORDER CONTINUING SENTENCING</b>
	)	<b>HEARING</b>
YVONNE LEAH CHAVEZ, ET AL.	)	
	)	
Defendants.	)	
	)	
	)	

**STIPULATION**

Defendant Yvonne Leah Chavez, by and through her attorney Michael W. Armstrong, and the United States, by and through Assistant United States Attorney Thomas O'Connell, hereby agree and stipulate to continue the sentencing hearing now scheduled for January 14, 2013, at 1:30 p.m., to February 25, 2013, at 1:30 p.m. before the Honorable Edward J. Davila.

Defense counsel, Michael Armstrong, is anticipating starting a felony child molestation jury trial in the Redwood City Superior Court on January 14, 2013, and the trial is expected to last a couple of weeks. For this reason, Mr. Armstrong will be unavailable on January 14, 2013, and after consultation with counsel for the government and Probation Officer Benjamin Flores,

1 it has been agreed that the next convenient date for all parties involved is February 25, 2013.

2 The parties agree that the time from January 14, 2013 through February 25, 2013 is  
3 properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections  
4 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

5 IT IS SO STIPULATED.

6  
7 Date: January 8, 2013

/S/  
\_\_\_\_\_  
Michael W. Armstrong  
Attorney for Defendant YVONNE CHAVEZ

8  
9  
10 Date: January 8, 2013

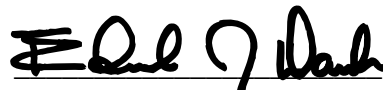
/S/  
\_\_\_\_\_  
Thomas M. O'Connell  
Assistant United States Attorney

**ORDER**

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the sentencing hearing currently set for January 14, 2013, is continued to February 25, 2013, at 1:30 p.m. For the reasons stated above, the Court further finds that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from January 14, 2013 through February 25, 2013.

IT IS SO ORDERED.

Date: 1/10/2013



Hon. Edward J. Davila  
United States District Judge